

**BOARD OF SELECTMEN
MEETING MINUTES
8/2/11**

OS JA — — *SmJ*

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Steven M. deBettencourt, Ernie Sund, Tom Alonzo, Dave Matthews present, Paula Bertram and Town Manager Kerry Speidel absent. Meeting opened at 7:00 P.M. with the Pledge of Allegiance

PUBLIC COMMENT

Tom announced that the Department of Public Utilities approved a rate increase late Monday night for Unitil. The requested increase was intended to pay for the 2008 ice-storm recovery, they (DPU) disallowed amounts for lawyers and accountants, storm related company witnesses, and they generally disallowed anything that wasn't an increase directly related to the cost of electricity and gas. It was \$7.1 million that they were looking to increase and put on the rate payers, and only \$4.4 million was approved. He urges people to get on the DPU site for more information. The DPU trimmed 31 percent, almost \$7 million, off the \$22 million in storm-related expenses the company sought to raise with fee increases. This resulted in 60% less than what Unitil was asking for. The DPU cited a lack of planning and training as being responsible for the scope of the damage that left some people without power for two weeks. They disallowed many charges that Unitil was seeking and this information is all detailed in the DPU report. It shows that in their 528 page report, they really did their jobs in analyzing all the data in reducing Unitil requested increases. He appreciates the DPU's hard work, the Attorney General's office and our Town Counsel and feels that this is a very good decision; this is the lowest rate of return in the past 50 years. They took this seriously and took responsibility.

ANNOUNCEMENTS

Board of Selectmen will not be meeting next week. Chair would like the board to be prepared to go over the Town Manager goals upon her return from vacation.

APPOINTMENTS

1. **Inspector of Weights & Measures** - two candidates have applied for the job, Stephen E. Cullinane of 46 Goodrich Street, who introduced himself and was recommended by the town's former inspector of Weights & Measures, Joe Quinn. Stephen informed the board of his experiences with teaching, coaching etc. and is interested in filling this position as he has performed inspections during his tenure in the Marine Corps, mostly on water equipment and has time available to pursue certification process & inspections.

Todd Whittier, 519 Burrage Street, full time firefighter introduced himself and although he too has no prior experience is willing to pursue the certification process and is interested in giving back to the town.

Neither applicant currently has the required certifications but both are willing to pursue.

Dave expressed appreciation to both applicants, and noted that both seem committed to their work and interested in serving the town.

Steve noted that we do have a recommendation from the town manager for appointing Mr. Cullinane.

Ernie believes that Mr. Cullinane seems to have more experience with inspections conducted during his term in the service and he would nominate Mr. Cullinane. Steve seconded, voted unanimously to approve. Board expressed appreciation to Mr. Whittier for his interest in serving the town.

CURRENT BUSINESS

1. **FY2012 Annual Appointments** – Inspector of Weights & Measures – Stephen E. Cullinane of 46 Goodrich Street, unanimously appointed.

2. **Policies & Procedures** – Hard copies of what the board had received in 2009 were distributed. Dave would like to come up with a prioritization to start working on these for the next meeting. He would like to have this documentation all prepared as one document.

3. **Minutes** – none

Warrants - #6 12, 8/2/11 - \$60,029.91 and #7 12, 8/3/11 - \$284,752.74 reviewed and signed.

Action File Issues - None

4. **Committee Updates** –

Ernie - Green Community Task Force met last night and provided a letter to the board on the membership. The solar farm RFP contract is being reviewed by Town Counsel. Solar panels on the Middle School are running and we're now creating power. The potential solar farm on Chase Road is currently in the engineering phase (5 to 6 MKW farm). Also looking for committee members for the Task Force. Dave reviewed the memo from Marion Benson on the possibility of a town meeting article for designating Lunenburg a Green Community.

Steve – DPW Building Committee a walk through is scheduled for this Thursday, still waiting for the contract documents. Still anticipate completion before Christmas as the Contractor is anxious to get started.

Dave Regional School Committee will be voting August 22nd noted that on the board's Sept 6th meeting the Chair of Regionalization Study Committee would like to be placed on the agenda.

6. Department Updates – Fire Chief Scott Glenn came before the board with regards to the status of 925 Mass Ave.

Tom questioned why the decision was made that we couldn't drain the tanks and to the best of Scott's knowledge this was due to funding but under CMR he believes this give the Fire Department the authority to drain the tanks. As he noted that the owner won't work with us however, we will have access to the property on the basis that there is a mitigated hazard. In order to go in there and remove the gas, in 2007 it was estimated to cost around \$4,000 to pump the tanks and if the board would like him to pursue he will begin looking into this. Dave commented that at minimum, we would like to get the tanks drained and dry.

Per Scott the "grant" that we supposedly received from DEP wasn't actually a grant and they required that the property owner sign off which he refused to do, as they (DEP) could in turn go after the property owner to re-coup their funding. Scott does have an estimate on the amount of fuel in the tanks, which he believes is less than 1,000 gallons between the three tanks. Board would like him to move forward with this and will discussing the funding mechanism with the Town Manager when she returns.

In other business, board had requested reasons as to the increases in the Fire Department budget. Scott submitted the attached explanation and noted that because of the combined increases in services the budget also increased as they are getting busier and its now costing more for the responses and services. There is a correlation between the increasing fees in calls and mileage but they don't charge for the wait time.

Steve questioned the accounting spreadsheet and where specific staff i.e., EMT's/Firefighters are paid out of. He had asked the Town Manager how is this tracked and if he's over on one line whether he transfers from other line items, which Scott verified that he does do this. He also noted that career staff does come back for calls and they also come back in on week ends when needed and he tries to project out knowing the vacation schedules, noted almost no sick time is ever used by his career employees.

Per Scott there are two groups on the fire side, and based upon the type of call is dependant upon which groups are called out. They have a system where they try to break it down so that they're not having too many people responding. Try really hard to manage the numbers so that they're not paying people unnecessarily.

Tom recapped in the last three years they've (Fire & Police departments) averaged small percentage increases in department budgets that have to maintain safety in a growing community.

Dave commented that this is a good opportunity for the community to learn what services the departments do afford our citizens.

Chief Bourgeois came before the board and discussed the overage in the Police Lock up account, reviewed his attached explanation letter to Kerry. Noted that the largest overage in his budget last year was due to the increased need for the lock up facility, noted that the average stay per weekend is over \$2,000.

Ernie commented that it seems that since the implementation of the various software systems, his detainee list has close to doubled and per Dan, that is correct and the fee is collected by the bail commissioner not the town. Noted that if the bail is going to take a few hours, he cannot take an officer off the street for lock up, so has to call in an officer for coverage. He reported that there had been a recent spike in arrests and detained prisoners, and as a result his budget has been insufficient, as it has almost doubled. The department arrested 292 people and booked 224 of them. All of them were held for some period of time, it's a costly item in the budget and as our population and traffic grows, that number is going to increase as it has for the last several years.

Tom noted that the Police Department has seen a spike in the lockup costs and questioned whether this being an anomaly or a trend.

Dan noted that they've cut back on some training and that they do watch this budget and providing a safe environment for our community. Noted that this department does take in detainees from Ashby and when this happens they (Ashby) assume full responsibility for lockup coverage.

7. Town Manager Updates – Laura provided the following information on the trash/recycling and the Regional Devens HHW Facility:

The Devens Regional Household Hazardous Waste Facility is now open for business; the Center will be open 20 times per year, twice per month (first Wednesday and Saturday), March through December. Service hours are 9:00 am –noon. The facility will not be open January-February because of the cold temperatures; hours are from 9:00 am to noon. Further information can be obtained at the website: www.devenshww.com or by contacting the Board of Selectmen office @ 978-582-4144. The HHW Collection Center is located at 8 Cook Street, Devens, at the southwest corner of the intersection of Cook Street and Antietam Street. This location is adjacent to an area used by the Devens Department of Public Works for their routine operations. It is also used by the State Police, Fire Department, and utility maintenance company for vehicle storage.

OLD BUSINESS

1. None

COMMITTEE APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

1. None

EXECUTIVE SESSION

1. M.G.L. Chapter 39, §23B (3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigation position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel.

UPCOMING MEETING SCHEDULE

Being no further business board voted unanimously to adjourned Regular Session at 8:17 P.M. and opened Executive Session by roll call vote; Steve aye, Tom aye, Ernie aye and Dave aye, in accordance with M.G.L. Chapter 39, §23B(3) for the purpose of discussing strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigation position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel. Chairman announced that the Board would not be returning to Regular Session.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant
Board of Selectmen

Town of Lunenburg

BOARD OF SELECTMEN

17 Main Street P O Box 135
Lunenburg MA 01462-0135

David J. Matthews, Chairman
Thomas A. Alonzo, Vice-Chairman
Carl "Ernie" Sund, Clerk
Steven M. deBettencourt, Mbr.
Paula Bertram, Mbr.



978-582-4144, FAX 978-582-4148

Office Hours
Mon, Wed, Thu. 8:00 AM - 4:00 PM
Tues. 8:00 AM - 6:30 PM
Fri. 8:00 AM - 12:30 PM

Kerry A. Speidel
Town Manager

Laura Williams
Chief Admin. Asst.

MEMORANDUM

To: Board of Selectmen

From: Kerry A. Speidel, Town Manager

Date: July 29, 2011

Subject: Appointment of Inspector of Weights & Measures, July 1, 2011 – June 30, 2012

As you are aware, our long-term Inspector of Weights & Measures resigned from his position effective June 30, 2011. The position was advertised in accordance with the requirements of the Town Charter. Two applicants have applied for the position:

1. Stephen E. Cullinane, 46 Goodrich Street
2. Todd Whittier, 519 Burrage Street

Neither candidate has prior experience, but both have sufficient experience in conducting inspections. I have met with both candidates and I believe that either one would do a good job in this position. Both candidates will be at your August 2, 2011 meeting to introduce themselves. If asked to make a recommendation, I would recommend Stephen E. Cullinane as I believe that he had more experience and he came highly recommended by Joe Quinn.

For reference, all weighing and measuring devices used for buying, selling or exchange of any commodity must be tested and approved as accurate by the Local Inspector before being placed into service. These devices must then be inspected annually to ensure they remain accurate and are in compliance with MA General Laws. These devices include: gasoline meters; vehicle tank meters [oil trucks]; propane meters; small, medium and heavy capacity scales; balances and weights; bulk storage meters; bottle return meters; and pricing scanners. Random inspections are periodically conducted on devices, packaged goods, pricing heating oil deliveries and motor fuel octane. Any consumer complaints must be investigated by the Local Inspector.

The Local Inspector receives a stipend, currently set at \$3,000 and reimbursement for expenses. All testing equipment is provided by the Town. The Local Inspector is required to obtain certification from MA Executive Office of Consumer Affairs, Division of Standards, within one year of appointment.

TOWN OF LUNENBURG, MASSACHUSETTS FIRE DEPARTMENT

CHIEF

Scott F. Glenny
TEL: (978) 582-4155
FAX: (978) 582-4033

655 Massachusetts Ave
Lunenburg, MA 01462



August 1, 2011

Ms Kerry Speidel
Town Manager
Town of Lunenburg
17 Main St
Lunenburg MA 01462

Ms. Speidel,

The reason for overage in the Fire Department payroll is due to an increase in calls and longer duration calls. Calls for service are increasing as we have shown at every budget meeting over the last few years. Our Ambulance runs take longer due to the hospitals being busier and having to wait for beds, as well as we find we transport to Worcester more often. This past year we had several structure and brush fires, these are time consuming and impact payroll. The storms this past year also impacted us as we covered the station to be able to provide a timely response. In at least four months last fiscal year we doubled our normal average payroll due to increased calls. As our town continues to grow the requests for emergency services will also.

Respectfully,

Scott F. Glenny
Chief of Department



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Town of Lunenburg

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Kerry A. Speidel
Town Manager

Laura Williams
Chief Admin. Asst.

MEMORANDUM

To: Board of Selectmen

From: Kerry A. Speidel, Town Manager

Date: July 29, 2011

Subject: Public Safety Expenditures

You asked that I provide you with detail on Public Safety Expenditures for FY09 -11. I've attached a spreadsheet detailing the same, along with a memorandum from Chief Bourgeois regarding the overrun in Police Lock Up expenditures in FY11.

I have asked Chief Glenny to provide a narrative on FY11 salary overruns as well. He will provide the same to you at your meeting on August 2, 2011.

Both Chiefs will be at your meeting on August 2, 2011 to answer any questions you may have.

/kas

Public Safety Expenditures FY2009 - FY2011

Department	FY2009			FY2010			FY2011		
	Original	Amended	Expended	Original	Amended	Expended	Original	Amended	Expended
Police Department	\$ 1,239,226.00	\$ 1,241,942.58	\$ 1,241,754.15	\$ 1,254,162.00	\$ 1,215,166.17	\$ 1,215,166.17	\$ 1,227,697.00	\$ 1,230,773.00	\$ 1,225,071.38
Police Lock Up	\$ 44,400.00	\$ 50,195.33	\$ 50,195.33	\$ 44,400.00	\$ 38,578.90	\$ 38,578.90	\$ 48,200.00	\$ 58,200.00	\$ 63,530.72
Police Injure Leave	\$ 10,000.00	\$ 1,129.80	\$ 1,129.80	\$ 7,500.00	\$ 63,775.43	\$ 63,775.43	\$ 5,000.00	\$ 38,537.00	\$ 38,263.24
total:	\$ 1,293,626.00	\$ 1,293,267.71	\$ 1,293,079.28	\$ 1,306,062.00	\$ 1,317,520.50	\$ 1,317,520.50	\$ 1,280,897.00	\$ 1,327,510.00	\$ 1,326,865.34
dollar over		\$ (546.72)			\$	\$ 11,458.50		\$	\$ 45,968.34
percentage over		-0.04%				0.88%			3.59%

Department	FY2009			FY2010			FY2011		
	Original	Amended	Expended	Original	Amended	Expended	Original	Amended	Expended
Fire Department	\$ 524,783.00	\$ 543,843.22	\$ 538,196.27	\$ 540,833.00	\$ 545,053.08	\$ 545,053.08	\$ 557,773.00	\$ 569,614.00	\$ 588,970.55
Fire Hydrant Expense	\$ 14,152.00	\$ 14,237.00	\$ 14,236.37	\$ 14,265.00	\$ 14,360.86	\$ 14,360.86	\$ 14,265.00	\$ 14,665.00	\$ 14,658.77
Maintenance of Town Radios	\$ 10,000.00	\$ 14,955.35	\$ 14,940.64	\$ 10,000.00	\$ 11,376.12	\$ 11,376.12	\$ 10,000.00	\$ 10,000.00	\$ 5,463.00
Radio Watch [Dispatch]	\$ 180,635.00	\$ 182,042.04	\$ 182,042.04	\$ 180,635.00	\$ 173,297.68	\$ 173,297.68	\$ 193,925.00	\$ 193,925.00	\$ 179,122.44
total:	\$ 729,570.00	\$ 755,077.61	\$ 749,415.32	\$ 745,733.00	\$ 744,087.74	\$ 744,087.74	\$ 775,963.00	\$ 788,204.00	\$ 788,214.76
dollar over		\$	\$ 19,845.32		\$	\$ (1,645.26)		\$	\$ 12,251.76
percentage over			2.72%			-0.22%			1.58%

Town of Lunenburg, Massachusetts

POLICE DEPARTMENT

CHIEF

Daniel F. Bourgeois
TEL: (978) 582-4150
FAX: (978) 582-9376



655 Massachusetts Avenue
Lunenburg, MA 01462

TO: Kerry Speidel
FROM: Chief Dan Bourgeois
DATE: July 25, 2011
RE: Lock-up information

Dear Kerry,

Per your request I forward the following information regarding costs associated with our detainee lock-up at the station and overage for FY11. First may I say that projecting the number of detainees each year is as difficult as predicting New England weather and the amount of snow that will fall.

As you know our daily operations includes the arrest and detainment of criminal offenders. As our local and regional population grow so do the number of arrests, protective custodies and detainments of all types translating into increased operating costs. Domestic violence cases such as violation of a restraining order are mandated arrests by statute. Arrests and protective custody detainments involving the use of alcohol create a liability issue if released prematurely. This translates into additional costs.

New technology improves our ability to instantly check records of individuals by means of State Warrant Management System (WMS) as well as National Crime Information Center (NCIC). Having this technology available provides officers on patrol as well as investigators instantaneous records checks even on daily motor vehicle stops. The end result is more arrests and detainments in our lock-up.

If I may date myself, in the "old" days records checks were not instantaneous. Many times checks were delayed resulting in the individual being released prior to receiving confirmation on information. Prior to the new WMS, defendants wanted on default warrants would be arrested and the respective

police department who "housed" the warrant would be responsible for picking up the detainee, transporting them to their facility and housing them for arraignment at their respective District Court or bailing them. The new system requires the arresting department to process and hold the offender in their facility then transport them to the local District Court for arraignment or bail the offender if it is not a case of a Default Warrant.

Our department has booked a total of two hundred ninety two arrests including protective custodies and warrants in FY11. Two hundred twenty four of which were held for some length of time as opposed to one hundred and forty six in FY10. If the arrestee is eligible for bail we do so as soon as the on call Bail Commissioner arrives. If the arrestee does not qualify for bail or is wanted on a "Default" warrant, it becomes our responsibility to house and care for the individual. This detainment may be an overnight stay or up to a three-day stay on holiday weekends. Detainees are then brought to Fitchburg District Court on their next session for arraignment.

Our officers and supervisors are assigned to patrol functions leaving no one assigned to "house duty" to watch detainees. This translates into overtime for detainee watch assignments. Costs for a typical weekend stay vary depending on pay rates for the assigned officer/supervisor or reserve officer. A weekend stay costs approximately \$2,425.00.

In addition to this cost are costs associated with feeding the detainee, providing clean blankets for the detainee and gloves for the officer's protection.

Earlier this year myself and fellow Central Mass Chiefs of Police Association E-Board members met with Worcester County Sheriff Lou Evangelitis. We have opened discussion as to how his office can assist smaller communities such as ours with the costly issue of housing detainees. These talks are continuing but the Sheriff's budget is also limited and housing is already extremely crowded at the Worcester House of Corrections. Talks will continue this fall in hopes of finding some solution to this budget line item.

I hope this information answers your questions. I remain available for any questions or comments.

Respectfully,

Chief Daniel Bourgeois